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Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JACK EARL JR,)
)
 Plaintiff,)
)
 v.)
)
 KELLY GOODE, LAURA BROOKS,)
 JACQUELINE VILLACORTA, EARL L)
 HOUSER, DR. ERIC NIMMO, ANGELA)
 J. STROMMER, DAVID NEWMAN.,)
)
 Defendants.) Case No.:
)

DEFENDANT JACQUELINE VILLACORTA'S NOTICE OF REMOVAL

Pursuant to 28 USC §§ 1441 and 1446, Defendant Jacqueline Villacorta, through counsel, hereby consents to and removes the state court action captioned *Jack Earl Jr. v. Kelly Goode et al.*, 3AN-22-07411CI filed in the Superior Court for the State of Alaska, Third Judicial District at Anchorage, to the United States District Court for the District of Alaska.

Plaintiff Jack Earl Jr. filed a lawsuit against Kelly Goode, Laura Brooks, Jacqueline Villacorta, Earl Houser, Dr. Eric Nimmo, Angela Strommer, and David Newman, alleging federal law claims. The claims against Jacqueline Villacorta fall under the Americans with Disabilities Act, which may be brought pursuant to 42 U.S.C. § 12133. Removal is made pursuant to 28 U.S.C. § 1441, 28 U.S.C. § 1443, 28 U.S.C. § 1446, 28 U.S.C. § 1331, and 28 U.S.C. § 1367. A copy of the Complaint is attached hereto as Exhibit A. Removal is based on the following:

1. The action is one which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1331 because the complaint alleges violations of the Americans with Disabilities Act, of the United States Constitution, and 42 U.S.C. § 1983 and is one which may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action arising under the Constitution, laws, or treaties of the United States.
2. Written notice of the filing of the notice of removal will also be served on all adverse parties pursuant to 28 U.S.C. § 1446(d).
3. A Notice to the State Court of Removal will be filed simultaneously herewith the Clerk of the Trial Courts, the Superior Court for the State of Alaska, in the Third Judicial District at Anchorage, Case No. 3AN-22-07411CI, along with a copy of this Notice of Removal.

4. This notice of removal is timely under 28 U.S.C. § 1446(b). The Complaint filed in Alaska Superior Court, Case No. 3AN-22-07411CI, and copies of the summons were never received by Jacqueline Villacorta. Less than thirty (30) days have elapsed since the receipt of the Complaint and notice of the federal claims.

5. The other defendants in this lawsuit, Kelly Goode, Laura Brooks, Earl Houser, Dr. Eric Nimmo, Angela Strommer, and David Newman join and consent to the removal pursuant to 28 U.S.C. § 1446(b)(2)(A) and 28 U.S.C. § 1446(b)(2)(C).

DATED: June 19, 2024.

TREG TAYLOR
ATTORNEY GENERAL

By: /s/Christopher W. Yandel
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Certificate of Service

I certify that on June 19, 2024, the foregoing **Defendant Jacqueline Villacorta's Notice of Removal** was served electronically on:

Jack Lawrence Earl Jr.#302235
Goose Creek Correctional Center
22301 West Alsop Road
Wasilla, AK 99623

/s/Christopher W. Yandel

Christopher W. Yandel, Assistant Attorney General